

EX PARTE OR LATE FILED

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

Docket File  
Rm: 222  
POLICY & PLANNING  
BRANCH ROOM 5202  
DOCKET FILE COPY ORIGINAL

19 FEB 1993

IN REPLY REFER TO:

7330-7/1700A3

RECEIVED

APR 12 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Honorable Slade Gorton  
United States Senate  
Washington, D.C. 20510

Dear Senator Gorton:

This is in reply to your letter of February 5, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

No. of Copies rec'd  
List ABCDE

041

Honorable Slade Gorton

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller  
Chief, Private Radio Bureau

Enclosures:  
Notice  
Order  
Discussion paper

cc:  
Chief, PRBureau  
Chief, LM&M Divison  
Docket Files, Room 222  
P&P Branch File (Pink)

CNTL NO - 9300474

DFertig/RShiben:/rb/lm:PR  
CONGRESS/9300474

# Congressional

DUE OBC: 2-17-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,  
AND REPLY FOR DOCKET FILE, ROOM 222.

SLADE GORTON  
WASHINGTON  
730 HART SENATE OFFICE BUILDING

COMMITTEES:  
APPROPRIATIONS  
COMMERCE, SCIENCE

TGC / FCC

1-17-93

Dear Senator Slade Gordon

I've been involved in the radio control hobby for over fourteen years now. All of those years spent in the aviation side of the hobby. I'm very active in local clubs and currently hold the office of President of the Newman Lake Aero Nautical Society.

I'm very concerned about the proposed rules that are currently under consideration by the Federal Communications Commission (FCC)/ The preceding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of the frequencies currently assigned for the model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this bandwidth far enough apart from the land mobile frequencies that we have been able to share the band without interference between each other.

The FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. We currently have 50 frequencies assigned to our range if this change goes into effect we will have only 19 that will remain safe to operate on. This effects me directly as I have 5 radios 4 of which will become unsafe to operate if this change in frequencies ocures.

Please understand that the models themselves are expensive to build; but more to the point , they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. Myself along with many other members of the hobby fly at American Modeler Association (AMA) events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I feel it is unwise of the FCC to try and improve the operating conditions of the land mobile radio users at the expense of radio control modelers. The hobby is of great importance to me and many others it

WA 96048

The Honorable Slade Gorton  
United States Senate  
Washington, DC 20510

Gentlemen,

I am writing this through concern for Federal Communications Commission (FCC) proposed rule changes which would reduce the usability of radio frequencies in the 72-76 MHz band now assigned for operation of radio controlled (RC) models. The proceeding is PR Docket 92-235 and I urge you to exert every effort to prevent the adoption of these rule changes.

In my youth all my spare time was devoted to the hobby of constructing and flying model airplanes. This experience was a major factor in my career choice of engineering. After a number of years diverted to career and family I am now retired and again devote most of my time to this hobby. It is challenging, instructional and personally rewarding. And, it is good for the economy as an entry level RC model represents a minimum investment of at least \$300 and advanced models well over \$1000. The proposal to add mobile frequencies by narrowing the band widths will certainly result in interference between the mobil and RC frequencies with disasterous consequences for the RC models.

I currently have two RC airplanes at an investment of about \$1500 and two more are (were) in the planning stage. If the FCC

FCC Notice of Rules Change  
PR Docket 92-235

Dear Senator

I have 4 Radio Control (R/C) Transmitters,  
6 Model Aircraft, 2 Model Cars, and Assorted  
Engines, Chargers, Field Equipment to  
support my hobby. This represents a  
real and very large investment I have  
made that is in danger of being  
made useless if the FCC allows other  
users to transmit nearly 4 times as  
strong a signal R/C on top of  
the assigned R/C channels.

Consider the likely outcome of

Jan 20, 1993

The Honorable Slade Gorton  
Senate Office Bldg.  
Washington DC 20510

75 9 33  
TAC/FCC

Honorable Mr. Gorton,

I have been interested in aviation for many years and I am now active in the Coeur d' Alene Aeromodeling Society whose 122 members enjoy building and flying radio controlled model airplanes. I am very concerned about proposed rules now under consideration by the Federal Communications Commission (FCC), namely NPRM-PR Docket 92-235. If adopted, the new rules will greatly reduce the useability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band which is primarily used for private land dispatch operations. At this time our assigned frequencies in this band are far enough apart from the land mobile frequencies that we are able to share the band without any mutual interference. Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. If this is adopted, many land frequencies will move closer to the model aircraft radio control frequencies and very likely cause interference with control of model aircraft. The proposed plan would effectively reduce good, available aircraft channels from about 50 down to 19.

When we fly our model aircraft under radio control, we go to great lengths to assure the safety of operators and spectators and protect property. Many of our safety precautions involve the careful coordination and use of radio control frequencies. If the number of useable frequencies is reduced as proposed by the FCC, the remaining frequencies will become congested and the margin of safety greatly decreased.

Please understand that many model aircraft have wing-spans up to 10 feet and weigh as much as 35-40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury or even death if radio interference causes the operator to lose control of the aircraft.

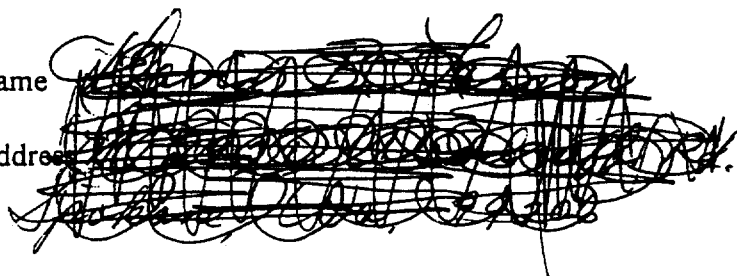
We often fly our models at organized events and contests where hundreds of operators participate. We need the use of the full complement of our assigned radio frequencies in order to insure a safe flying environment.

I do not think it wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. Please consider that we have a substantial investment in our models and our radio equipment, that the hobby provides hours of enjoyment to thousands of people like myself and contributes to the advancement of the aviation industry. Please help me continue the safe enjoyment of my hobby by carefully considering the proposals in NPRM-PR Docket 92-235.

Sincerely,

Name

Address





# MODEL ELECTRONICS CORPORATION

January 25, 1993

TAC/FCC

The Honorable Slade Gorton  
United States Senate  
Washington, DC 20510

Dear Sir:

It has recently come to my attention that the Federal Communications Commission (FCC) is considering an action that will severely limit and potentially eliminate a very important hobby of mine, radio controlled (R/C) model airplanes, helicopters, cars and boats.

Your Notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of your rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 Khz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 MHz band and 10 of the 30 frequencies on the 75 MHz band now used by hobbyists. In fact, more channels will likely be affected.

This action will have a severe, detrimental impact upon me and the entire R/C hobby industry. If put into effect, my airplane or helicopter could easily be shot out of the sky by a mobile user I'd have no way of knowing about. This creates a severe health hazard.

I have been involved in this hobby for 30 years. I own 6 radios and 10 model airplanes, helicopters, cars and boats. In addition, I have numerous engines, motors, chargers, field accessories and other products necessary to support my hobby. When you consider there are hundreds